

ORDINANCE GRANTING A SPECIAL USE FOR A PLANNED DEVELOPMENT (METRO EAST TOWNHOMES – 9300 W. 143RD STREET)

WHEREAS, a petition for granting a special use permit for certain real estate, as set forth below, has been filed with the Development Services Department of this Village and said petition has been referred to the Plan Commission of this Village and has been processed in accordance with the Land Development Code (the "Code") of the Village of Orland Park as amended; and

WHEREAS, said Plan Commission of this Village held a public hearing on August 17, 2021, on whether the requested special use permit should be granted, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law, was given of said public hearing by publication not more than 30 days nor less than 15 days prior to said meeting in the Daily Southtown, a newspaper of general circulation in this Village, there being no newspaper published in this Village; and

WHEREAS, the Plan Commission of this Village has filed its report of findings and recommendations that the requested special use permit be granted with this President and Board of Trustees, and this Board of Trustees have duly considered said report and findings and recommendations;

NOW THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

The report and findings and recommendations of the Plan Commission of this Village regarding the proposed special use herein incorporated by reference as the findings of this President and Board of Trustees, as completely as if fully recited herein at length. All exhibits submitted at the aforesaid public hearing are also hereby incorporated by reference as fully as if attached hereto. This President and Board of Trustees further finds that the proposed special use is in the public good and in the best interests of the Village and its residents and is consistent with and fosters the purposes and spirit of the Orland Park Land Development Code as set forth in Section 1-102 thereof. Said special use is also in accordance with the provisions of the Comprehensive Land Use Plan of the Village.

SECTION 2

The following described real estate (the "Subject Property") is located in the VCD Village Center Zoning District:

THE EAST 30 ACRES OF THE WEST 60 ACRES OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 36 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THEREFROM THAT PART FALLING IN 1ST ADDITION TO HERITAGE NO. 3 ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 6, 1979 AS DOCUMENT 25134048 AND RE-RECORDED DECEMBER 6, 1979 AS DOCUMENT NUMBER 25271376; AND ALSO EXCEPTING THEREFROM THAT

PART LYING EAST OF THE WEST LINE AND SAID WEST LINE EXTENDED SOUTH OF GROSSKOPF'S SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED APRIL 29, 1987 AS DOCUMENT NUMBER 87227299, SAID WEST LINE AND SAID WEST LINE EXTENDED OF GROSSKOPF'S SUBDIVISION BEING ALSO THE WEST LINE OF THE EAST 398.00 FEET OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 3, AND ALSO EXCEPTING THEREFROM THE SOUTH 50.00 FEET THEREOF TAKEN FOR ROAD) IN COOK COUNTY, ILLINOIS.

PIN: 27-03-301-033-0000

SECTION 3

In addition to the findings set forth in Section 1 hereof, this Board of Trustees further finds, in relation to the proposed special use permit for a planned development as follows:

- A. The Subject Property contains approximately 5.02 acres and is located within the Village of Orland Park in Cook County, Illinois, at 9300 W. 143rd Street. The Subject Property is of the type contemplated in Section 6-212.C.1 of the Code and is being developed in accordance with a site plan best suited for the Subject Property. The plan is to develop the Subject Property as a planned development consisting of forty-two (42) townhome units within eight (8) buildings on forty-four (44) lots and a private detention pond and private streets on two (2) outlots under the VCD Village Center Zoning classification, with a major special use for a Planned Development. The site provides for adequate buffering of the proposed uses from surrounding land uses.
- B. The proposed use of the Subject Property is consistent with the purposes, goals, objectives and standards of the Comprehensive Plan, any adopted overlay plan and the Land Development Code. The Comprehensive Plan designates this property as Downtown Mixed Use in the Downtown Planning District.
- C. The proposed special use will be consistent with the character of the immediate vicinity of the Subject Property. To the north and east is single-family residential; to the west is commercial (retail strip center in the Village Center VCD Zoning District); and to the south is unincorporated Cook County and open space/wetlands.
- D. The proposed use of the Subject Property creates no adverse effects, including visual impacts, on adjacent properties. The proposed special use will not adversely affect the value of adjacent property.
- E. The Petitioner has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and medical services, drainage systems, refuse disposal, water and sewers, and schools will be capable of serving the special uses at an adequate level of service. Adequate measures have been or will be taken to provide ingress and egress so designed to minimize traffic congestion in the adjacent public streets. The entrances and exits will comply with all applicable requirements, and internal traffic is adequately provided for.

F. Petitioners have made adequate legal provision, through home owner covenants, to guarantee the provision and preservation of all open spaces designated on the site plan and other improvements associated with the special use.

G. The proposed use will not adversely affect a known archaeological, historical or cultural resource.

H. The proposed special use shall comply with all additional standards imposed on it by all other applicable requirements of the ordinances of the Village and the Development Agreement authorized and approved by this Village President and Board of Trustees on April 4, 2022 (the “Development Agreement”).

SECTION 4

A special use is hereby granted for a Planned Development of the Subject Property described in SECTION 2 hereof, subject to and conditioned upon the following:

A. The Subject Property shall be developed substantially in accordance with the final site plan titled “Site Plan” by Gary R. Weber Associates, Inc. last revised March 21, 2022, subject to the following conditions:

1. Petitioner shall meet all Building Code requirements and required permits from outside agencies;
2. The detention pond and associated storm water facilities shall be privately owned and maintained by an established home owners association; and
3. The Petitioner shall provide cash in lieu of a park land donation and park development cash as provided in the Development Agreement.

B. The Subject Property shall be developed substantially in accordance with the Elevations titled “5-Unit Building Mix Character Elevations” prepared by BSB Design, dated January 27, 2022, and “6-Unit Building Mix Character Elevations” prepared by BSB Design, dated January 27, 2022, and “Exterior Material Exhibit: Collections 1-4”.

C. The Subject Property must be developed substantially in accordance with the final Landscape Plan sheet 1 of 8 titled “Landscape Plan,” and sheet 2 of 8 titled “Landscape Details”, prepared by Gary R Weber Associates, Inc. and last revised March 21, 2022. Petitioner must provide a “cash in lieu of land donation and park development cash” as provided in the Development Agreement.

D. The Petitioner shall subdivide the land as shown on the “Final Subdivision Plat for Metro East”, by CEMCON, LTD., last revised March 16, 2022, subject to the Petitioner submit a final Record Plat of Subdivision to the Village for approval, execution and recording.

SECTION 5

The Petitioner (Permittee) hereunder shall at all times comply with the terms and conditions of the special use permit herein granted and the Development Agreement between the Village and

Petitioner, and in the event of non-compliance, said permit shall be subject to revocation by appropriate legal proceedings.

SECTION 6

The zoning map of the Village of Orland Park, Cook and Will Counties, Illinois, be amended so as to be in conformance with the special use as aforesaid.

SECTION 7

That this Ordinance shall be in full force and effect from and after its adoption as required by law.